

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

United States District Court
Southern District of Texas

ENTERED

January 07, 2016

David J. Bradley, Clerk

UNITED STATES OF AMERICA

§
§
§
§
§

v.

CRIMINAL ACTION H-15-654

ROBERTO ENRIQUE RINCON-FERNANDEZ *in custody*

Order

Plaintiff's unopposed motion to certify the above styled cause as a complex case (Dkt. 20) pursuant to Title 18, United States Code, Section 3161(h)(8)(B)(ii) is GRANTED. It is therefore ORDERED that the above styled cause of action is certified as COMPLEX pursuant to Title 18, United States Code, Section 3161(h)(8)(B)(ii).

Pursuant to the Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A), the Court finds that the ends of justice which will be served by allowing the defendant additional time in which to prepare this case outweigh the best interest of the public and the defendant in a speedy trial. The Court's basis for said finding is that the failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. §3161(h)(8)(B)(iv).

Accordingly, it is ordered that defendant's unopposed motion for continuance (Dkt. 20) is GRANTED and the time between January 7, 2016 and April 25, 2016 is excluded from consideration under the Speedy Trial Act, 18 U.S.C. §3161(h). It is further ORDERED that the scheduling order is amended as follows:

March 18, 2016 All MOTIONS will be filed no later than this date.

10 days from filing of motion RESPONSES to motions will be filed no later than this date.

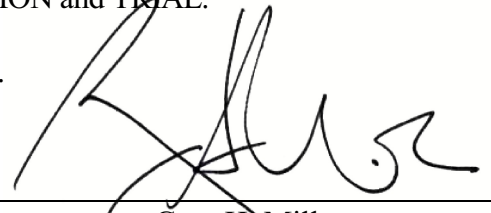
April 11, 2016 PROPOSED voir dire, charge, exhibit and witness list due.

April 18, 2016 OBJECTIONS to exhibits/witnesses due.

April 25, 2016 @ 10:00 a.m. PRETRIAL CONFERENCE before Judge Gray H. Miller, 515 Rusk, Courtroom 9D, Houston, Texas. **DEFENDANT MUST BE PRESENT.**

April 25, 2016 @ 1:00 p.m. JURY SELECTION and TRIAL.

Signed at Houston, Texas on January 7, 2016.



Gray H. Miller
United States District Judge